

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Deputy Clerk.

F031637 Manning, et al. v. City of Bakersfield

Parties stipulate that (1) Dibiaso, J. the absent justice, participate in the determination of this appeal, and (2) Dibiaso, J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by James L. Faulkner, Esq., counsel for appellants, Melissa Manning and Hannah Manning, and by Michael G. Allford, Deputy City Attorney, counsel for appellant, City of Bakersfield.

Submission deferred until February 17, 2000.

Court recessed until Wednesday, February 16, 2000 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Deputy Clerk.

F029391 People v. Johnson
F033714 In re Kelvin C. Johnson on Habeas Corpus

Cause called and argued by Manuel J. Baglanis, Esq., counsel for appellant. Lloyd G. Carter, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Dibiaso, Acting P.J. directs Vartabedian, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Buckley, J.

F030212 Peterson, et al. v. Case Corporation

Cause called and argued by R. Bruce Finch, Esq., counsel for appellant and by Mark Oium, Esq., counsel for respondent.

Cause ordered submitted.

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Court recessed until Thursday, February 17, 2000 at 10:00 A.M.

F034051 People v. Kimble

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F030609 Responsible Citizens, et al. v. County of Fresno, et al.; Calmat Company, et al.

The judgment is affirmed. Dibiaso, Acting P.J.

We concur: Thaxter, J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030638 People v. Reed

The judgment is affirmed. Ardaiz, P.J.

We concur: Vartabedian, J.; Levy, J.

[CERTIFIED FOR PUBLICATION]

F024375) Marshall et al. v. Continental Metroplex, Inc. et al.

F024705)

F025706)

The judgment is affirmed in part, reversed in part, and remanded with directions. Acting P.J.

We concur: Wiseman, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032576 In re Armando S., a Minor

The judgment is affirmed. Dibiaso, Acting P.J.

We concur: Thaxter, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029783 Bank of the Sierra v. Dawson et al.

The judgment is affirmed. Respondents are awarded costs on appeal. Dibiaso, Acting P.J.

We concur: Thaxter, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F033699 In re Billy W., a Minor

The judgment is affirmed. Vartabedian, Acting P.J.

We concur: Buckley, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030897 People v. Ginn

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F031831 People v. Harless

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.